

Appl. No. 09/652,241  
Preliminary Amendment

### **Remarks**

By this Amendment, Claims 1-12 are pending in this application. Claims 1 and 8 have been amended.

Applicant respectfully submits claims 1 and 8 include elements which have not been disclosed, taught or suggested by Coffin. For example, claims 1 and 8 generally recite an indicator plate mechanically affixed to an extension of the rotary motor shaft, the indicator plate being generally circular shaped including a step region and a sensor for sensing relative position of said indicator plate, the sensor including a signal modulator and a detector, said detector receiving a signal from said signal modulator upon passage of the step region of the indicator plate. Coffin fails to disclose, teach, or suggest an indicator plate mechanically affixed to an extension of the rotary motor shaft, the indicator plate being generally circular shaped including a step region and a sensor for sensing relative position of said indicator plate, the sensor including a signal modulator and a detector, said detector receiving a signal from said signal modulator upon passage of the step region of the indicator plate. Rather, Coffin merely discloses an operating gear 34. Operating gear 34 fails to include a step region. Additionally, Coffin fails to disclose a sensor for sensing relative position of said indicator plate, the sensor including a signal modulator and a detector, said detector receiving a signal from said signal modulator upon passage of the step region of the indicator plate. Consequently, a *prima facie* case of obviousness has not been established for claims 1 and 8. Claims 2-7 and 9-12 are believed allowable due to their dependence upon an allowable base claim.


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**Conclusion**

In light of the forgoing, reconsideration and allowance of the claims is earnestly solicited.

Respectfully submitted,  
ROCKWELL COLLINS, INC.

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